

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

ALJAWON DAWAYNE MILES,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 3:18-cv-973-WHA
)	(wo)
TERRANCE WALKER)	
)	
Defendant.)	

MEMORANDUM OPINION AND ORDER

This case is before the court on the Recommendation of the Magistrate Judge (doc. 35), and the Plaintiff's objections thereto (doc. 36&37).

Following an independent evaluation and *de novo* review of the file in this case, the court finds the objections to be without merit and due to be overruled.

Plaintiff Aljawon Dawayne Miles ("Miles") brings suit against Terrance Walker ("Walker"), an Officer with the Phenix City Police Department, who investigates Sex Offender Registration and Notification Act ("SORNA") violations. Miles alleges that Walker knowingly relied on false or contradictory evidence and statements when issuing a warrant for Miles' arrest for (1) residing less than 2,000 feet from a high school and (2) for failing to notify law enforcement of moving from his residence at 928 28th Ave., Apartment C, to 1604 Auburn Road.

On April 26, 2018, this court entered an amended judgment finding Miles committed two SORNA violations, revoking Miles' conditional release, and sentencing Miles to 24 months of imprisonment in the Federal Bureau of Prisons.

The Magistrate Judge recommends granting Walker's motion for summary judgment on the basis of *Heck v. Humphrey*, 512 U.S. 477 (1994). (Doc. 35).

Miles' objection to the Recommendation largely restates the allegations asserted in his amended complaint, including an allegation that the charges against him were dropped. A review of his criminal case reveals that the charges were not dropped, however. *See United States v. Miles*, case no: 3:09-CR-00132-WHA. Miles' claims in this case challenge the validity of that conviction.

Accordingly, it is hereby ORDERED as follows:

1. The Objections are OVERRULED.
2. The Court ADOPTS the Recommendation of the Magistrate Judge.
3. The motion for summary judgment is GRANTED and the case dismissed without prejudice.

A separate Judgment will be entered.

Done this 22nd day of November, 2021.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE